

FORM PTO-1390 OFFICE (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK		ATTORNEY'S DOCKET NUMBER 8964-000031/US
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/572563		EXPRESS MAIL LABEL NO. 3
INTERNATIONAL APPLICATION NO.	INTERNATIONAL FILING DATE	PRIORITY DATE CLAIMED		
PCT/CN2004/001044	September 14, 2004	September 17, 2003		
TITLE OF INVENTION FUNGAL IMMUNOMODULATORY PROTEIN (FIP) PREPARED BY MICROORGANISMS AND USES THEREOF				
APPLICANT(S) FOR DO/EO/US Jiunn-Liang KO, Yu-Lu HUANG, Tzu-Chih CHEN, Hsu-Wei HUNG, Ho-Lung JIANG, Ching-Lung HU, Cheng-Chun KUAN and Hsuan-Ju THOU				
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:				
<p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input checked="" type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39 (1).</p> <p>4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) WO 2005/040375 A1 <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is transmitted herewith. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4) </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)). <ul style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>				
Items 11. to 20. below concern document(s) or information included:				
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98-1449, International Search Report (PCT/ISA/210) in English and PTO Form 1449</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A FIRST preliminary amendment.</p> <p>14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p>				

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21. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS	PTO USE ONLY
PCT FEES – NATIONAL STAGE:			
<u>Fee Code</u>	<u>Description</u>	<u>Fee</u>	
1631	Basic National Stage Fee.....	\$300.00	
1632	National Stage Search Fee.....	\$400.00	
1633	(Search report prepared and provided to USPTO) National Stage Examination Fee.....	\$200.00	
ENTER APPROPRIATE FEE AMOUNT =		\$ 900.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than Months from the earliest claimed priority date (37 CFR 1.492(e)).		<input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30	\$ 130.00
PAGES	PAGES FILED	EXTRA PAGES FILED IN 50 PAGE SEGMENTS	RATE
Total Pages	36 - 100 =		X 250.00 \$ 0.00
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total Claims	20 - 20 =	0	X \$50.00 \$ 0.00
Independent Claims	4 - 3 =	1	X \$200.00 \$ 200.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00 \$ 0.00
TOTAL OF ABOVE CALCULATIONS =		\$ 1230.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$ 6.00	
SUBTOTAL =		\$ 615.00	
Processing fee of \$130.00 for furnishing the English translation later than Months from the earliest claimed priority date (37 CFR 1.492(f)).		<input type="checkbox"/> 20 <input type="checkbox"/> 30	\$ 0.00
TOTAL NATIONAL FEE =		\$ 615.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$ 0.00	
TOTAL FEES ENCLOSED =		\$ 615.00	
		Amount to be: refunded	\$
		charged	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of <u>\$ 615.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 08-0750 in the amount of \$ <u> </u> to cover the above fees. A triplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>08-0750</u>.</p>			
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>Send all correspondence to: Harness, Dickey & Pierce, P.L.C – Customer No. 30593 Post Office Box 8910 Reston, Virginia 20195</p> <p>Date: _____</p> <p>By _____</p> <p>John A. Castellano, #35,094</p>			